REMARKS/ARGUMENTS

In the Office Action mailed November 25, 2009, claims 1-20 were rejected. In response, Applicant hereby requests reconsideration of the application in view of the proposed amendments and the below-provided remarks. No claims are added. Applicant submits that the proposed amendments place the present application in condition for allowance or in better condition for appeal.

For reference, proposed amendments are presented for claims 1, 7, 8, 10, and 16. In particular, the proposed amendment for claim 1 is presented to recite the language previously recited in dependent claim 18. Similarly, the proposed amendment for claim 10 is presented to recite the language previously recited in dependent claim 19. Similarly, the proposed amendment for claim 16 is presented to recite the language previously recited in dependent claim 20. These amendments are supported, for example, by the subject matter described in the specification at page 10, line 30, through page 11, line 15, of the present application. The proposed amendments for claims 7 and 8 are presented to recite the data carrier (singular) in order to maintain proper antecedent basis in the claims.

Objections to the Claims

The Office Action objects to claims 7 and 8 because the language "the data carriers" were lacking proper antecedent basis. Applicant appreciates the Examiner's attention to the language of the claims. Applicant submits that claims 7 and 8 are amended to maintain proper antecedent basis with the data carrier recited in independent claim 1. Accordingly, Applicant respectfully requests that the objections to claims 7 and 8 be withdrawn.

Claim Rejections under 35 U.S.C. 102 and 103

Claims 1-20 were rejected based on one or more cited references. The cited reference(s) relied on in these rejections include:

Richards et al. (U.S. Pat. No. 6,230,267, hereinafter Richards)

Everett et al. (U.S. Pat. Pub. No. 2002/0050528, hereinafter Everett)

Ishiguro et al. (U.S. Pat. No. 5,502,765, hereinafter Ishiguro)

In particular, claims 10, 11, and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Richards. Claims 1-9 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Everett and in view of Richards. Claims 12-15, 19, and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Richards and in view of Everett. Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Richards and in view of Ishiguro. However, Applicant respectfully submits that the remaining claims are patentable over Richards, Everett, and Ishiguro for the reasons provided below.

Independent Claim 1

Claim 1 is patentable over the combination of Richards and Everett because the combination of cited references does not teach all of the limitations of the claim. Claim 1 recites:

> A granting method to grant a modification device a modification right to modify an application in a data carrier, the method comprising:
> generation of a first key information item and of an associated second key information item for a data carrier identified by a data carrier identification information item;
> generation of a first master key information item and an associated second master key information item in addition to the first key information item and the associated second key information item;
> checking of the association of the first key information item stored in the data carrier with the second key information item from the modification device;
> allowing of the modification of the application in the data carrier by the modification device in response to a determination that the first key information item is associated with the second key information item;
> checking of the association between the first master key information item stored in the data carrier with the second master key information item from the modification device; and
> <u>allowing a modification by the modification device of access rights to at least one interface of the data carrier</u> in response to a determination that the first master key information item is associated with the second master key information item.
> (Emphasis added.)

In contrast, the combination of Richards and Everett does not teach all of the limitations of the claim because the combination of cited references does not teach modifying access rights of an interface of the data carrier. For reference, the reasoning in the Office Action relies on Richards (in the previous rejection of claim 18) as purportedly teaching the indicated limitation. The reasoning in the Office Action does not rely on Everett for such teachings.

Although the reasoning in the Office Action states that Richards purportedly teaches allowing a modification of access rights to an interface of the data carrier, this assertion is not supported by the actual teachings of Richards. In general, Richards is directed to securely transporting data onto an integrated circuit (IC) card. Richards, abstract. In order to facilitate the transfer, an individualized key set is generated for each IC card and stored on the IC card. Richards, col. 7, lines 62-65. These keys are used for verification and secure data transportation. Richards, col. 7, lines 65-67. Richards also provides some details of how these keys are generated by a certification authority (CA) that manages the overall security of the IC card system. Richards, col. 7, line 67, through col. 8, line 43; Fig. 4. Once the keys are generated, a terminal can read the public key certificate from the IC cards to verify that the CA has signed and therefore approved the individual IC card. Richards, col. 8, lines 44-48.

In addition to describing the key generation process, Richards also describes several functions related to loading an application or other data on the IC card. Richards, col. 10, line 18, through col. 11, line 13. In general, the IC card uses the keys of the IC card and the signatures of the CA to verify the identity of the IC card, as well as the authorization to load the application unit (AU) on the card). Richards also describes that the application load unit (ALU), which includes the AU and other authentication information, can be transmitted to the IC card via a terminal connection, contactless connection, telephone, computer, intranet, Internet, or any other communication means. Richards, col. 10, lines 30-33.

Despite all of this description of how the keys are generated and used to load application data onto the IC cards, Richards does not describe any method of modifying access rights to an interface of the data carrier. For example, Richards does not describe

any way to modify the type of interface (e.g., contact terminals, contactless connections, etc.) that might be accessed by a particular user or for a particular application. Moreover, the description in Richards of granting access to the IC card in order to load an AU or other authentication information is insufficient to teach modifying the access rights of a particular interface through which the AU or other authentication information might be transmitted to the IC card. Furthermore, even if Richards were to describe some type of correlation between different applications and interfaces, the teachings of Richards nevertheless are insufficient to teach allowing a modification of such correlated access rights. Therefore, Richards does not teach allowing a modification of the access rights of an interface of the data carrier because Richards merely describes using the IC key set to load data on the IC card, generally. Moreover, Richards does not teach allowing a modification of the access rights of an interface of the data carrier in response to a determination that first and second master keys are associated.

For the reasons presented above, the combination of Richards and Everett does not teach all of the limitations of the claim because the combination of cited references does not teach allowing a modification of access rights of an interface of a data carrier, as recited in the claim. Accordingly, Applicant respectfully asserts claim 1 is patentable over the combination of Richards and Everett because the combination of cited references does not teach all of the limitations of the claim.

Independent Claims 10 and 16

Applicant respectfully asserts independent claims 10 and 16 are patentable over the cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. Each of these claims recites subject matter which is similar to at least some of the subject matter of claim 1 discussed above. Although the language of these claims differs from the language of claim 1, and the scope of each claim should be interpreted independently of other claims, Applicant respectfully asserts that the remarks provided above in regard to the rejection of claim 1 also apply to the rejections of these claims.

Dependent Claims

Claims 2-9, 11-15, and 17 depend from and incorporate all of the limitations of the corresponding independent claims 1, 10, and 16. Applicant respectfully asserts claims 2-9, 11-15, and 17 are allowable based on allowable base claims. Additionally, each of claims 2-9, 11-15, and 17 may be allowable for further reasons.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the proposed amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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